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PATENT  
Attorney Docket No.: 000001-000800US

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On 6/20/2006

FOUNTAINHEAD LAW GROUP PC

By: Chad Weld

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Todd F. Mozer

Application No.: 09/875,261

Filed: June, 5 2001

For: CLIENT-SERVER SECURITY  
SYSTEM AND METHOD

Confirmation No.: 4605

Examiner: Martin Lerner

Technology Center/Art Unit: 2654

PETITION TO WITHDRAW HOLDING  
OF ABANDONMENT FOR FAILURE TO  
RECEIVE OFFICE ACTION

Attention: Office of Petitions  
**Mail Stop Petition**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX (571) 273-8300

Sir:

In response to the Notice of Abandonment mailed May 16, 2006, Applicants hereby submit this petition and respectfully request that the Abandonment be withdrawn. The Office Action leading to the Abandonment was not received. A search of the file jacket and docket records indicates that the Office Action was not received. A copy of the Notice of Abandonment is attached hereto as Exhibit A. A copy of the docket record where the non-received Office Action would have been entered had it been received is attached as Exhibit B. A copy of the Office Action envelope and first page of the Office Action were downloaded from

the PTO Public Pair website. A copy of the downloaded Office Action envelope is attached here to as Exhibit C. The envelope shows that the Office Action was "Returned to Sender" by the Post Office and received back at the PTO Mail Center on September 26, 2006. A copy of the downloaded Office Action first page is attached here to as Exhibit D. The first page of the Office Action shows a mailing date of September 19, 2005, and shows that it was received by the PTO OIPE/IAP on September 27, 2005.

In view of the foregoing, Applicants believe that Abandonment of this Application should be withdraw because the Office Action was not received.

Respectfully submitted,

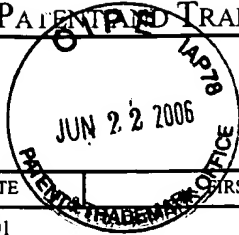


Chad R. Walsh  
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CRW



# UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE  
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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/875,261      | 06/05/2001  | Todd F. Mozer        | 000001-000800US     | 4605             |

7590 05/16/2006

Fountainhead Law Group  
Suite 509  
900 Lafayette Street  
Santa Clara, CA 95050

EXAMINER

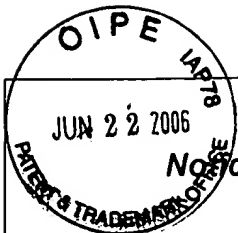
LERNER, MARTIN

|          |              |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2626

DATE MAILED: 05/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



## Notice of Abandonment

Application No.

09/875,261

Examiner

Martin Lerner

Applicant(s)

MOZER, TODD F.

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 19 September 2005.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

Martin Lerner  
Examiner  
Art Unit 2626

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

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# Country Application

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Monday, June 19, 2006

Page: 1

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**Client-Matter:** 00001-0008

**Country:** US

**SubCase:** 00

**Client:** Sensory Incorporated

United States of America

**Case Type:** PRI

**Application Status:** Published

**Application Number:** 09/875,261

**Filing Date:** 05-Jun-2001

**Publication Number:** US-2002-0194003-A1

**Publication Date:** 19-Dec-2002

**Patent Number:**

**Issue Date:**

**Parent/PCT Number:**

**Parent/PCT Date :**

**Parent Issue Number:**

**Parent Issue Date :**

**Tax Schedule:** SE

**Expiration Date:**

**Confirmation #:** 4605

**Patent Term Adjustment:** 0

**Agent:**

**Agent Reference #:**

**Family Reference:**

**List Of Actions**

| <b>Action(s) Due</b>           | <b>Due Date</b> |          | <b>Action Taken</b> |
|--------------------------------|-----------------|----------|---------------------|
| Information Disclosure Stmt    | 05-Sep-2001     | Due Date | 28-Apr-2003         |
| Foreign Filing Follow Up Date  | 12-Nov-2001     | Due Date | 12-Nov-2001         |
| Foreign Filing Reminder        | 05-Dec-2001     | Reminder | 12-May-2001         |
| Foreign Filing Due             | 05-Jun-2002     | Final    | 12-May-2001         |
| 18 month Publication           | 05-Dec-2002     | Due Date | 19-Dec-2002         |
| Application Status Check       | 05-Dec-2002     | Due Date |                     |
| Publication Follow Up Date     | 19-Jun-2003     | Due Date | 19-Jun-2003         |
| Information Dis Follow Up Date | 28-Oct-2003     | Due Date | 28-Oct-2003         |
| 1 Month to Due Date            | 13-Nov-2004     | Reminder | 13-Dec-2004         |
| 3 Month Due Date               | 13-Dec-2004     | Due Date | 13-Dec-2004         |
| 1st Extension                  | 13-Jan-2005     | Reminder | 13-Dec-2004         |
| 2nd Extension                  | 13-Feb-2005     | Reminder | 13-Dec-2004         |
| 2 Weeks to Final Date          | 28-Feb-2005     | Due Date | 13-Dec-2004         |
| 6 Month Final                  | 13-Mar-2005     | Final    | 13-Dec-2004         |
| 1 Month to Due Date            | 14-Jun-2005     | Reminder | 08-Aug-2005         |
| 3 Month Due Date               | 14-Jul-2005     | Due Date | 08-Aug-2005         |
| 1st Extension                  | 14-Aug-2005     | Reminder | 08-Aug-2005         |
| 2nd Extension                  | 14-Sep-2005     | Reminder | 08-Aug-2005         |
| 2 Weeks to Final Date          | 29-Sep-2005     | Due Date | 08-Aug-2005         |
| 6 Month Final                  | 14-Oct-2005     | Final    | 08-Aug-2005         |

**Created By:** PatAdmin**User ID:** PatAdmin**Date Created:** 09-May-2005**Last Update:** 09-May-2005

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ALEXANDRIA, VA 22313-1450

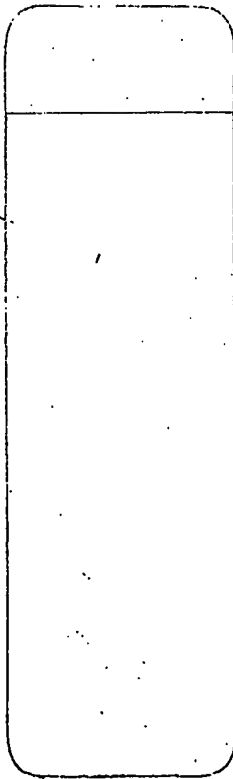
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OFFICIAL BUSINESS

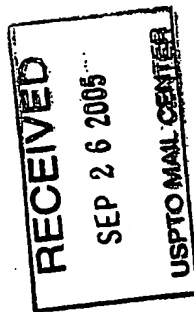
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RETURN TO SENDER

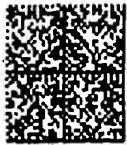
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☐ ATTEMPTED - NOT KNOWN  
☐ VACANT  
ROUTE NUMBER 2919  
INITIALS JP



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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/875,261      | 06/05/2001  | Todd F. Mozer        | 016757-000800US     | 4605             |

7590

09/19/2005

Chad Walsh, Esq.  
Fountainhead Law Group  
6172 Bollinger Road, #174  
San Jose, CA 95129

**RECEIVED  
OICE/IAP**

**SEP 27 2005**

EXAMINER

LERNER, MARTIN

ART UNIT

PAPER NUMBER

2654

DATE MAILED: 09/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

13

Application Number

09/875,261

Filing Date

June 5, 2001

First Named Inventor

Todd F. Mozer

Art Unit

2654

Examiner Name

Martin Lerner

Attorney Docket Number

000001-000800US

### ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/  
Incomplete Application

☐

Reply to Missing Parts  
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☒

Petition

☐

Petition to Convert to a  
Provisional Application

☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

Remarks

☐

After Allowance Communication to TC

☐

Appeal Communication to Board  
of Appeals and Interferences

☐

Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify  
below):

Copy of Notice of Abandonment;  
Copy Docket Record;  
Copy of Office Action Envelope;  
Copy of first page of Office Action; and  
Return Receipt Postcard

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Fountainhead Law Group P.C.

Signature

*Chad R. Walsh*

Printed name

Chad Walsh

Date

6/28/2006

Reg. No.

43,235

### CERTIFICATE OF TRANSMISSION/MAILING

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Signature

*Chad R. Walsh*

Typed or printed name

Chad Walsh

Date

6/28/2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.